

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevin R Rosin on November 19, 2012.

The application has been amended as follows:

In the claims:

Claim 1, line 1, after metric, -- wherein the steps of maintaining, fetching, subtracting, adding and determining are performed by a computer-- has been inserted.

Claims 11 and 27, line 1, after A, --non-transitory-- has been inserted.

Claim 17, line 1, after A, "~~computer data signal representing~~", has been deleted, and --non-transitory computer readable medium including-- has been inserted.

Claim 18, after the, "~~computer data signal~~", has been deleted, and --non-transitory computer readable medium-- has been inserted.

Claims 19-26, after the, "~~computer data signal~~", has been deleted, and --non-transitory computer readable medium-- has been inserted.

Allowable Subject Matter

2. Claims 1-27 are allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

See the Board's decision rendered on August 10, 2012 for reasons for allowance.

Conclusion

4. The prior art made of record cited in the PTO-892 form and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Monday-Thursday 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter H. Choi can be reached on (571) 272-6971. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Romain Jeanty/
Primary Examiner, Art Unit 3683
November 19, 2012